

TO:	
COMMISSIONER OF PATENTS AND TRADEMARKS (USPTO) P.O. Box 1450 Alexandria, VA 22313-1450	REPORT ON THE FILING OF DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK

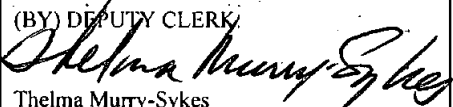
In compliance with 35 U.S.C. 290 and/or 15 U.S.C. 1116 you are hereby advised
 that a court action has been filed on the following patent(s)/trademark(s) in the U.S. District Court:

DOCKET NO. 08cv0749	DATE FILED 02/04/2008	UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION
PLAINTIFFS Forest Laboratories, Inc. et al		DEFENDANTS Sun India Pharmaceutical Industries Limited
TRADEMARK NUMBER	DATE OF TRADEMARK	HOLDER OF PATENT OR TRADEMARK
5,061,703	10/29/1991	Bormann et al.
5,061,703 C1	11/07/2006	Bormann et al.

In the above-entitled case, the following trademarks(s) have been included:

DATE INCLUDED	INCLUDED BY <input type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading		
TRADEMARK NUMBER	DATE OF TRADEMARK	HOLDER OF PATENT OR TRADEMARK	
1.			
2.			
3.			

In the above-entitled case, the following decision has been rendered or judgment issued:

DECISION/JUDGMENT See Order of 3/4/08 attached.		
CLERK MICHAEL W. DOBBINS	(BY) DEPUTY CLERK  Thelma Murry-Sykes	DATE: 3/4/2008

**UNITED STATES DISTRICT COURT
FOR THE Northern District of Illinois – CM/ECF LIVE, Ver 3.0
Eastern Division**

Forest Laboratories, Inc., et al.

Plaintiff,

v.

Case No.: 1:08-cv-00749

Honorable Ruben Castillo

Sun India Pharmaceutical Industries Limited

Defendant.

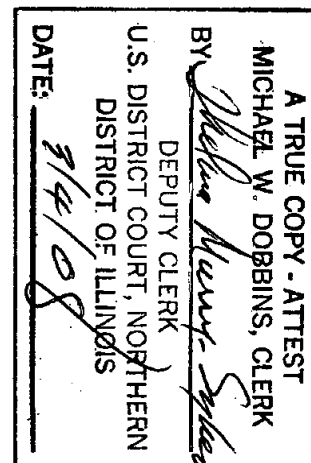
NOTIFICATION OF DOCKET ENTRY

This docket entry was made by the Clerk on Tuesday, March 4, 2008:

MINUTE entry before Judge Ruben Castillo :This case is hereby dismissed without prejudice pursuant to the Notice of Voluntary Dismissal filed by the Plaintiffs on 2/28/2008. Mailed notice(rao,)

ATTENTION: This notice is being sent pursuant to Rule 77(d) of the Federal Rules of Civil Procedure or Rule 49(c) of the Federal Rules of Criminal Procedure. It was generated by CM/ECF, the automated docketing system used to maintain the civil and criminal dockets of this District. If a minute order or other document is enclosed, please refer to it for additional information.

For scheduled events, motion practices, recent opinions and other information, visit our web site at www.ilnd.uscourts.gov.



AO 120 (Rev. 3/04)

TO: Mail Stop 8 Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK
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In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been
 filed in the U.S. District Court Delaware on the following ☒ Patents or ☐ Trademarks:

DOCKET NO. 03-891-JJF	DATE FILED 9/22/2003	U.S. DISTRICT COURT DISTRICT OF DELAWARE
PLAINTIFF Forest Laboratories, Inc., Forest Laboratories Holding, LTD., and H. Lundbeck A/S		DEFENDANT Ivax Pharmaceuticals, Inc. and Cipla, LTD.
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 34,712	8/30/1994	H. Lundbeck A/S
2		
3		
4		
5		

In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY <input type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading		
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK	
1			
2			
3			
4			
5			

In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT
SEE ATTACHED FINAL JUDGMENT ORDER

CLERK PETER T. DALLEO, CLERK OF COURT	(BY) DEPUTY CLERK <i>Neer M. Selinger</i>	DATE 3/18/2008
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Copy 1—Upon initiation of action, mail this copy to Director Copy 3—Upon termination of action, mail this copy to Director
 Copy 2—Upon filing document adding patent(s), mail this copy to Director Copy 4—Case file copy

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

FOREST LABORATORIES, INC,)
FOREST LABORATORIES HOLDING, LTD.)
and H. LUNDBECK A/S,)

Plaintiffs,)

v.)

IVAX PHARMACEUTICALS, INC.)
and CIPLA LTD.,)

Defendants.)

Civil Action No. 03-891-JJF

FINAL JUDGMENT ORDER

I. In accordance with and for the reasons stated in the Court's Memorandum Opinion of July 13, 2006 [D.I. 612], as subsequently affirmed by the opinion of the United States Court of Appeals for the Federal Circuit dated September 5, 2007 (Case No. 2007-1059):

(a) JUDGMENT IS ENTERED IN FAVOR OF PLAINTIFFS AND AGAINST DEFENDANTS on Plaintiffs' claim of infringement of Claims 1, 3, 5, 7, 9, and 11 of U.S. Patent No. Re: 34,712 ("The '712 patent");

(b) JUDGMENT IS ENTERED IN FAVOR OF PLAINTIFFS AND AGAINST DEFENDANTS on Defendants' claim that the '712 patent is invalid;

(c) JUDGMENT IS ENTERED IN FAVOR OF PLAINTIFFS AND AGAINST DEFENDANTS on Defendants' claim that the '712 patent is unenforceable; and

(d) the JUDGMENT ORDER dated November 3, 2006 [D.I. 627], is amended with respect to the injunction contained therein, so that the final injunction reads:


Ivax Pharmaceuticals, Inc. and Cipla Ltd., and their successors-in-interest, officers, agents, servants, employees and attorneys, and those persons in

active concert or participation with them who receive actual notice of this Order by personal service or otherwise, are hereby enjoined from commercially making, using, offering to sell, or selling within the United States, or importing into the United States, the escitalopram oxalate products referred to in Abbreviated New Drug Application No. 76-765 until such time as the '712 patent expires, including any extensions and regulatory exclusivities that are granted and not successfully challenged.

2. For the reasons set forth in the Court's Memorandum Opinion of March 15, 2007 [D.I. 684] granting Defendants' Motion for Summary Judgment of No Willful Infringement, JUDGMENT IS ENTERED IN FAVOR OF DEFENDANTS AND AGAINST PLAINTIFFS on Plaintiffs' claim of willful infringement.

3. For the reasons set forth in the Court's Memorandum Opinion of February 26, 2008 [D.I. 732] granting Defendants' Motion for Summary Judgment that this is Not an Exceptional Case, JUDGMENT IS ENTERED IN FAVOR OF DEFENDANTS AND AGAINST PLAINTIFFS on Plaintiffs' claim that this is an exceptional case.

DATED AT WILMINGTON, DELAWARE, THIS 18 DAY OF March
2008.


HONORABLE JOSEPH J. FARNAN, JR.
UNITED STATES DISTRICT JUDGE